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December 23, 2015

**BY ECF**

Honorable Richard Berman  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, NY 10038

**MEMO ENDORSED**

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Re: Gerskovich v. City of NY, et al., 15 CV 7280

Your Honor:

I am a Senior Counsel in the office of Zachary Carter, Corporation Counsel of the City of New York, representing defendants in the above-referenced civil rights matter. Defendants write to request a brief extension of the time to identify the parties as ordered by the Court in the Monday, December 21, 2015 Order, docket entry [39].

The defendants had previously been provided with three numbers obtained from the side of officers' helmets, which typically correspond to badge numbers, by plaintiff's counsel to assist in determining their identities and service addresses. Defendants were able to identify one officer based upon the numbers provided and relayed that information to plaintiff. The second and third numbers did not clearly correspond to any individual officer. Defendants reached out to plaintiff's counsel to seek any additional information, at which time counsel provided several photographs he had in his possession. Defendants continued to search and disclosed the identity of one officer, shield No. 2635, however based on plaintiff's description and the photos, however it does not appear to match the defendant described. As for the other badge number plaintiff provided, it does not match any individual officer.

After conferring with plaintiff's counsel before Judge Freedman this week, plaintiff's counsel disclosed that they are in possession of additional video and photographs and are in the process of putting together a "look book" to assist in officer identification. Plaintiff indicated that he would attempt to provide this information by the close of this week. Defendants have been diligent and responsive in attempting to identify the prospective

defendants. However, because of the gradual release of identifying information by plaintiff counsel has been unable to identify these two individuals. Accordingly, defendants request plaintiff be ordered to produce this look book by a date certain and an additional two weeks from the time of that production to identify the remaining proposed defendants. Alternatively, defendants request a two week extension of time to identify these two remaining proposed defendants, from Christmas day, to January 8, 2016.

Thank you for your consideration.

Respectfully submitted,  
/s/  
**Andrew Lucas**  
*Senior Counsel*  
Counsel for Defendants

Extension granted  
until 118/16.